

GEORGIA STATE BOARD OF FUNERAL SERVICE
Secretary of State, Professional Licensing Boards Division

**NOTICE OF INTENT TO ADOPT A PROPOSED AMENDMENT TO THE RULES
AND NOTICE OF PUBLIC HEARING**

Chapter 250-5 Personal Licensure, Rule 250-5-.10 Revocation and Reinstatement

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Board of Funeral Service (hereinafter "Board") proposes an amendment to Chapter 250-5 Personal Licensure, Rule 250-5-.10 Revocation and Reinstatement (hereinafter "proposed rule amendment").

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being distributed to all persons who have requested, in writing, that they be placed on the interested party notification list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Board's website page at <http://sos.ga.gov/index.php/licensing/plb/30>, or by contacting the Board at 478-207-2440.

Any interested party affected by the rule may present written comments to the Board no later than close of business June 5, 2018. Written comments must be legible, signed, and should contain contact information from the maker (address, telephone number, email address, etc.). Written comments should be addressed to Lisa W. Durden, Director, Office of Secretary of State, Professional Licensing Boards Division, Georgia State Board of Funeral Service, 237 Coliseum Drive, Macon, Georgia 31217; fax (866) 888-1308. Oral statements presented during the public hearing should be concise and will be limited to five (5) minutes per person.

The Board voted to adopt this Notice of Intent at its April 10, 2018 meeting. The Board also voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. § 43-1-19; 43-1-25; 43-18-23; 43-18-48; 43-18-49; 43-18-55; and 43-18-56. Finally, the Board voted that it is not legal or feasible in meeting the objectives of O.C.G.A. § 43-1-19; 43-1-25; 43-18-23; 43-18-48; 43-18-49; 43-18-55; and 43-18-56 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed or owned and operated in the field of funeral service.

A public hearing is scheduled to begin at 1:00 p.m. on June 12, 2018, in the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed rule amendment.

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The proposed rule amendment will be considered for adoption by the Georgia State Board of Funeral Service at its meeting scheduled to begin 1:00 p.m. on June 12, 2018 at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. According to the Department of Law, State of Georgia, the Georgia State Board of Funeral Service has the authority to adopt the proposed rule amendment to 250-5-.10 pursuant to authority contained in O.C.G.A. § 43-1-19; 43-1-25; 43-18-23; 43-18-48; 43-18-49; 43-18-55; and 43-18-56.

For further information, contact the Board office at (478) 207-2440.

This notice is given in compliance with Section 4(a)(1) of the Georgia Administrative Procedures Act (O.C.G.A. §50-13-4).

This 2 day of May 2018.

A handwritten signature in blue ink, appearing to read "Lisa W. Durden", is written over a horizontal line.

Lisa W. Durden, Director
Professional Licensing Boards

Posted: 5/2/2018

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SYNOPSIS OF PROPOSED CHANGES TO THE RULES
Chapter 250-5 Personal Licensure, Rule 250-5-.10 Revocation and Reinstatement

Purpose: The purpose of this amendment is to clarify the section content, introduce format changes to achieve clearer presentation of the rule content, align renewal deadline date to match Joint Secretary of State Rules, and correct grammatical errors and archaic pronouns.

Main Features: The main features of this amendment are adding language to the Rule title to clarify this rule's content, changing the format of the section to achieve a clearer presentation of the information, change the renewal deadline date to align with Joint Secretary of State Rules, and add and remove language to correct grammatical and pronoun issues.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE
PROPOSED AMENDMENTS TO THE RULE**
Chapter 250-5 Personal Licensure, Rule 250-5-.10 Revocation and Reinstatement

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

Chapter 250-5 Personal Licensure

Rule 250-5-.10. Revocation and Reinstatement - Embalmer; Funeral Director

- (1) Failure to renew an embalmer or funeral director license prior to ~~July~~ May 1 of the renewal year shall have the same effect as revocation. Any consideration for license reinstatement shall be at the discretion of the Board and shall require submission of a reinstatement application and reinstatement fee.
- (2) The Board in its discretion may reinstate a funeral director license upon receipt of an application, evidence of completion ~~for~~ of ten (10) hours of approved continuing education ~~units~~ for any applicant who is under 65 years of age and appropriate fees as noted on the Fee Schedule. ~~See fee schedule~~. Additionally, a person applying for reinstatement more than two (2) years after the expiration date of ~~his/her~~ the license shall be required to retake and pass the Board-approved Jurisprudence Examination on Georgia law regarding funeral directing.

Authority: O.C.G.A. § Secs. 43-1-19; 43-1-25; 43-18-23; 43-18-48; 43-18-49; 43-18-55; and 43-18-56

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Chapter 250-5 Personal Licensure

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Authority: O.C.G.A. § Secs. 43-1-19; 43-1-25; 43-18-23; 43-18-48; 43-18-49; 43-18-55; and 43-18-56